

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application Of: **McMillen, Robert**) Examiner: **TBD**
Application No.: **New**) Group Art Unit:
Filing Date: **Herewith**) Attorney Docket No.: **41575-220**
Title: **Apparatus and Method For Lumbar Support With Variable Apex**)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

This Information Disclosure Statement is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office action on the merits, whichever occurs last, pursuant to 37 CFR 1.97(b). Attached hereto is Form PTO-1449, and the references cited therein.

Although there is no fee for filing this Information Disclosure Statement within the time frame described above, the Commissioner is hereby authorized to charge any unforeseen fee required to Deposit Account No. 08-3460. A duplicate copy of this sheet is enclosed.

REMARKS

Foreign Patent Documents

Applicant makes the following remarks relating to the cited foreign patents, arranged by reference letter:

- BA** See English translation attached to EP 698 360 B1. The priority for this patent is AT serial number 1561/94, now patent number 402145. Equivalents include DE 59508036D and ES 2144599.
- BB** No remarks.

- BC** English claims are included in the specification of EP 0797 399 B1. US 5,934,752, as cited herein, is an English equivalent. An additional equivalent includes JP 10510442T. The priority for this patent is DE 44 44803A1. Also see WO9518326.
- BD** English claims are included in the specification of EP 0 746 219 B1. US 6,079,783, as cited herein, is an English equivalent to this patent. The priority for this patent is DE 4405495. Also see WO9522270.
- BE** English claims are included in the specification of EP 0 696 251. US 5,704,687, as cited herein, is an English equivalent. Additional equivalents include AU 680249, BR PI9406485, CN ZL94191955, IN 108926, KR 306258, MX 190788 and ZA 94/2596. The priority for this patent is DE 4314325. Also see WO9425307.
- BF** English claims are included in the specification of EP 0 702 522 B1. US 5,913,569, as cited herein, is an English equivalent. The priority for this patent is DE 4320105. Also see WO9500053.
- BG** English claims are included in the specification of EP 0 662 795 B1. US 5,651,583, as cited herein, is an English equivalent. Additional equivalents include AU 684472, CN ZL93118221, KR 6158300 and IN 178518. The priority for this patent is DE 4232679. Also see WO9407393.
- BH** No English equivalents were found for this patent; see english translation of the abstract attached thereto.
- BI** Equivalents include DE 69206581D or DE 69206581T. The priority for this patent is IT 1991TO00831.
- BJ** Sere English translation attached to EP 0 434 660 B1. Equivalents include DE 59009013D, and ES 2077668T. The priority for this patent is AT 396055B.

- BK** English claims are included in the specification of EP 0485 483 B1. US 5,397,164, as cited herein, is an English equivalent. The priorities for this patent are AT 1882/89 and AT 2133/89. Additional equivalents include AU 645 987, CA 2,059,537, CN ZL90108563, CO 24068, BR PI9007576, JP 2833629B2, MX 174767, and ZA 90/7227. Also see WO9101666.
- BKa** See English abstract attached to DE 42 20 995 A1.
- BL** The specification of EP 0 322 535 is in English; equivalents include JP 1175808 and KR 9206272.
- BM** The specification of EP 169 293 B1 is in English; equivalents include SE 445 168 and US 4,627,661, as cited herein.
- BN** See English abstract attached to FR 2596334; no additional English equivalents were found.
- BO** English claims are included in the specification of EP 0 006 840 B1. US 4,354,709, as cited herein, is an English equivalent to the EP patent. Equivalents also include AR 219799, BR 7904058, CA 1,113,192, CS 7904357, DE 2962040D, ES 481713, JP 55044175, MX 150056, SU 971117, US 4,452,485 (cited herein), YU 148779, ZA 7902780.
- BP** No English equivalent found; see English translation of the claims attached thereto. The relevance is to show the general state of the art.
- BQ** An equivalent to GB 1 423 617 includes DE 2345254. AT 316802 is the priority for this patent.
- BR** US 3,762,769, as cited herein, is an English equivalent to DE 206 4419. Additional equivalent patents include FR 2120888 and IT 940824.
- BS** US 3,724,144, as cited herein, is an English equivalent to DE 204 0794. Additional equivalent patents include FR 2065915 and SE 372 698. AT 306949 is the priority for this patent.
- BT** See English translation attached to RU 587924.
- BU** No remarks.

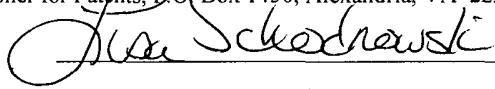


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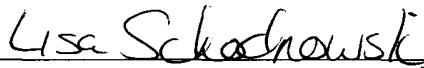
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37 CFR 1.501
INFORMATION DISCLOSURE CITATION
IN A PATENT
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Docket Number (Optional)
41575-220

Application Number

Applicant
McMillen, Robert

Filing Date

Group Art Unit

U.S. PATENT DOCUMENTS

Examiner Initial	Ref.	Document Number							Date	Name	Class	Subclass	Filing Date If Appropriate
	AA	6	5	3	6	8	4	0	3/25/2003	Schuster, Sr. et al.	297	284.1	12/15/2000
	AB	6	3	3	8	5	3	0	1/15/2002	Gowing	297	284.4	1/30/2000
	AC	6	3	3	4	6	5	1	1/1/2002	Duan et al.	297	284.4	3/31/2000
	AD	6	2	9	6	3	0	8	10/2/2001	Cosentino et al.	297	284.4	2/10/2000
	AE	6	2	7	0	1	5	8	8/7/2001	Hong	297	284.4	4/20/2000
	AF	6	2	5	4	1	8	7	7/3/2001	Schuster, Sr. et al.	297	284.1	8/24/1999
	AG	6	2	5	4	1	8	6	7/3/2001	Falzon	297	284	7/30/1997
	AH	6	2	2	7	6	1	8	5/8/2001	Ligon, Sr. et al.	297	284.4	4/3/2000
	AI	6	2	2	7	6	1	7	5/8/2001	Von Möller	297	284.4	3/21/1988
	AJ	6	1	5	8	3	0	0	12/12/2000	Klingler	74	526	1/5/1998
	AK	6	1	5	2	5	3	2	11/28/2000	Cosentino	297	284.4	12/13/1999
	AL	6	1	5	2	5	3	1	11/28/2000	Deceuninck	297	284.4	8/20/1997
	AM	6	0	9	2	8	7	1	7/25/2000	Beaulieu	297	284.4	10/29/1999
	AN	6	0	7	9	7	8	3	6/27/2000	Schuster, Sr. et al.	297	284.4	2/21/1995
	AO	6	0	5	0	6	4	1	4/18/2000	Benson	297	284.4	12/19/1997
	AP	6	0	4	5	1	8	5	4/4/2000	Ligon, Sr. et al.	297	284.4	6/30/1998
	AQ	6	0	3	6	2	6	5	3/14/2000	Cosentino	297	284.4	8/28/1998
	AR	6	0	3	0	0	4	1	2/29/2000	Hsiao	297	284.4	3/2/1999
	AS	6	0	0	7	1	5	1	12/28/1999	Benson	297	284.4	9/30/1998
	AT	6	0	0	3	9	4	1	12/21/1999	Schuster, Sr. et al.	297	284.1	7/6/1998
	AU	5	9	8	8	7	4	5	11/23/1999	Deceuninck	297	284.4	1/3/1997
	AV	5	9	8	4	4	0	7	11/16/1999	Ligon, Sr. et al.	297	284.4	3/10/1997
	AW	5	9	7	5	6	3	2	11/2/1999	Ginat	297	284.4	9/2/1998
	AX	5	9	3	4	7	5	2	8/10/1999	Klingler	297	284.4	12/14/1995
	AY	5	9	1	3	5	6	9	6/22/1999	Klingler	297	284.4	6/16/1994
	AZ	5	9	1	1	4	7	7	6/15/1999	Mundell, et al.	297	284.4	5/29/1997
	AAA	5	8	9	7	1	6	8	4/27/1999	Bartelt, et al.	297	452.18	7/26/1996
	AAB	5	8	8	4	9	6	8	3/23/1999	Massara	297	216.12	8/25/1997
	AAC	5	8	6	8	4	6	6	2/9/1999	Massara, et al.	297	284.6	2/2/1996
	AAD	5	8	5	7	7	4	3	1/12/1999	Ligon, Sr. et al.	297	284.9	2/10/1997
	AAE	5	8	2	3	6	2	0	10/20/1998	Le Caz	297	284.4	4/17/1997
	AAF	5	8	1	6	6	5	3	10/6/1998	Benson	297	284.4	3/17/1997
	AAG	5	7	9	1	7	3	3	8/11/1998	Van Hekken, et al.	297	284.4	6/20/1997
	AAH	5	7	7	5	7	7	3	7/7/1998	Schuster, et al.	297	284.1	1/6/1997

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AAI	5	7	7	2	2	8	1	6/30/1998	Massara	297	284.4	5/19/1997
AAJ	5	7	6	9	4	9	1	6/23/1998	Schwarzbich	297	284.4	12/2/1996
AAK	5	7	6	2	3	9	7	6/9/1998	Venuto, et al.	297	284.4	3/24/1997
AAL	5	7	5	8	9	2	5	6/2/1998	Schrewe, et al.	297	284.6	12/2/1996
AAM	5	7	1	8	4	7	6	2/17/1998	De Pascal, et al.	297	284.4	9/20/1996
AAN	5	7	0	4	6	8	7	1/6/1998	Klingler	297	284.4	4/22/1994
AAO	5	6	5	1	5	8	4	7/29/1997	Chenot, et al.	297	284.4	4/24/1995
AAP	5	6	5	1	5	8	3	7/29/1997	Klingler, et al.	297	284.4	9/10/1993
AAQ	5	6	3	8	7	2	2	6/17/1997	Klingler	74	502.4	6/16/1994
AAR	5	6	2	6	3	9	0	5/6/1997	Schuster, et al.	297	284.1	6/7/1995
AAS	5	6	0	9	3	9	4	3/11/1997	Ligon, Sr., et al.	297	284.4	2/23/1996
AAT	5	5	8	8	7	0	3	12/31/1996	Itou	297	284.4	10/12/95
AAU	5	5	6	7	0	1	1	10/22/1996	Sessini	297	284.4	5/12/1994
AAV	5	5	6	7	0	1	0	10/22/1996	Sparks	297	284.4	8/29/1994
AAW	5	5	6	2	3	2	4	10/8/1996	Massara, et al.	297	284.6	2/2/1996
AAX	5	5	5	3	9	1	7	9/10/1996	Adat, et al.	297	230.14	6/30/1994
AAY	5	5	1	8	2	9	4	5/21/1996	Ligon, Sr., et al.	297	284.4	5/23/1994
AAZ	5	4	9	8	0	6	3	3/12/1996	Schuster, et al.	297	284.1	12/8/1994
AAAA	5	4	7	4	3	5	8	12/12/1995	Maeyaert	297	284.7	4/26/1993
AAAB	5	4	5	2	8	6	8	9/26/1995	Kanigowski	244	122 R	1/9/1995
AAAC	5	4	4	9	2	1	9	9/12/1995	Hay, et al.	297	284.4	1/18/1993
AAAD	5	4	2	3	5	9	3	6/13/1995	Nagashima	297	284.5	3/11/1994
AAAE	5	3	9	7	1	6	4	3/14/1995	Schuster	297	284.1	8/6/1990
AAAF	5	3	8	5	5	3	1	1/13/1995	Jover	601	99	1/17/1993
AAAG	5	3	3	5	9	6	5	8/9/1994	Sessini	297	284.4	4/9/1990
AAAH	5	2	9	9	8	5	1	4/5/1994	Lin	297	284.5	5/19/1993
AAAI	5	2	8	6	0	8	7	2/15/1994	Elton	297	284.7	11/9/1992
AAAJ	5	2	1	7	2	7	8	6/8/1993	Harrison, et al.	297	284.7	3/13/1991
AAAK	5	2	1	5	3	5	0	6/1/1993	Kato	297	284.4	3/20/1991
AAAL	5	1	9	7	7	8	0	3/30/1993	Coughlin	297	284.7	2/20/1991
AAAM	5	1	7	4	5	2	6	12/29/1992	Kanigowski	244	122	11/27/1991
AAAN	5	1	3	7	3	2	9	8/11/1992	Neale	297	284	6/24/1991
AAAO	5	0	8	8	7	9	0	2/18/1992	Wainwright, et al.	297	284	5/21/1990
AAAP	5	0	7	6	6	4	3	12/31/1991	Colasanti, et al.	297	284	8/20/1990
AAAQ	5	0	5	0	9	3	0	9/24/1991	Schuster, et al.	257	284	8/3/1990
AAAR	5	0	2	6	1	1	6	6/25/1991	Dal Monte	297	284	12/22/1989
AAAS	5	0	2	2	7	0	9	6/11/1991	Marchino	297	452	2/13/1989
AAAT	5	0	0	5	9	0	4	4/9/1991	Clemens, et al.	297	284	2/27/1989

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	AAAU	4	9	6	8	0	9	3	11/6/1990	Dal Monte	297	284	12/22/1989
	AAAV	4	9	5	7	1	0	2	9/18/1990	Tan, et al.	128	68	9/27/1988
	AAAW	4	9	5	0	0	3	2	8/21/1990	Nagasaki	297	284	7/25/1989
	AAAX	4	9	1	5	4	4	8	4/10/1990	Morgenstern	297	284	7/11/1988
	AAAY	4	9	0	9	5	6	8	3/20/1990	Dal Monte	292	284	10/13/1988
	AAAZ	4	8	8	0	2	7	1	11/14/1989	Graves	257	284	12/23/1988
	AAAAA	4	7	3	0	8	7	1	3/15/1988	Sheldon	297	230	8/14/1986
	AAAAB	4	6	7	9	8	4	8	7/14/1987	Spierings	297	284	8/14/1986
	AAAAC	4	6	7	6	5	5	0	6/30/1987	Neve De Mevergnies	297	353	2/12/1985
	AAAAD	4	6	3	2	4	5	4	12/30/1986	Naert	297	284	10/29/1984
	AAAAE	4	6	3	0	8	6	5	12/23/1986	AHS	297	284	11/23/1983
	AAAAF	4	6	2	7	6	6	1	12/9/1986	Ronnhalt, et al.	297	284	7/25/1984
	AAAAG	4	6	0	2	8	1	9	7/29/1986	Morel	297	460	5/19/1983
	AAAAH	4	6	0	1	5	1	4	7/22/1986	Meiller	297	284	1/6/1984
	AAAII	4	5	7	6	4	1	0	3/18/1986	Hattori	297	284	5/25/1983
	AAAJJ	4	5	6	5	4	0	6	1/21/1986	Suzuki	297	284	3/22/1985
	AAAAK	4	5	6	4	2	3	5	1/14/1986	Hatsutta, et al.	297	284	11/9/1984
	AAAAL	4	5	6	1	6	0	6	12/31/1985	Sakakibara, et al.	242	107	10/19/1983
	AAAAM	4	5	5	6	2	5	1	12/3/1985	Takagi	297	284	10/18/1983
	AAAAN	4	5	5	5	1	4	0	11/26/1985	Nemoto	297	452	2/23/1984
	AAAQO	4	5	4	1	6	7	0	9/17/1985	Morgenstern, et al.	297	284	8/15/1983
	AAAAP	4	4	6	5	3	1	7	8/14/1984	Schwarz	297	284	1/22/1981
	AAAAQ	4	4	5	2	4	8	5	6/5/1984	Schuster	297	284	12/23/1981
	AAAAR	4	4	4	9	7	5	1	5/22/1984	Murphy, et al.	297	284	5/26/1981
	AAAAS	4	3	9	0	2	1	0	6/28/1983	Wisniewski, et al.	297	452	12/15/1980
	AAAAT	4	3	5	4	7	0	9	10/19/1982	Schuster	297	284	6/22/1979
	AAAUA	4	3	1	6	6	3	1	2/23/1982	Lenz, et al.	297	284	12/6/1979
	AAAUV	4	3	1	3	6	3	7	2/2/1982	Barley	297	284	11/13/1979
	AAAAW	4	2	9	5	6	8	1	10/20/1981	Gregory	297	284	2/19/1980
	AAAAX	4	1	8	2	5	3	3	1/8/1980	Arndt, et al.	297	284	12/26/1978
	AAAAY	4	1	5	6	5	4	4	5/29/1979	Swenson, et al.	297	284	3/20/1978
	AAAAZ	4	1	5	3	2	9	3	5/8/1979	Sheldon	297	284	9/6/1977
	AAAAAA	4	1	3	6	5	7	7	1/30/1979	Borgersen	74	479	11/10/1976
	AAAAAB	3	7	6	2	7	6	9	10/2/1973	Poschl	297	284	12/16/1971
	AAAAAC	3	7	2	4	1	4	4	4/3/1973	Schuster	52	108	12/14/1970
	AAAAAD	3	4	9	2	7	6	8	2/3/1970	Schuster, W.	52	98	4/10/1968
	AAAAAE	3	4	9	0	0	8	4	1/20/1970	Schuster, W.	5	351	1/22/1968
	AAAAAF	3	3	7	8	2	9	9	4/16/1968	Sandor, W.C.	297	284	7/5/1966

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	AAAAAG	2	9	4	2	6	5	1	6/28/1960	Binding, K.W.	155	131	11/12/1957
	AAAAAH	2	8	4	3	1	9	5	7/15/1958	Barvaeus, A.E.A.	155	182	1/25/1956
	AAAAAI	2	7	5	6	8	0	9	7/31/1956	Endresen, E.	155	182	6/30/1954
	AAAAAJ	1	1	8	2	8	5	4	5/9/1917	Poler, A.J.	N/A	N/A	5/10/1915

FOREIGN PATENT DOCUMENTS

Examiner Initial	Ref.	Document Number	Issue Date	Country	International Class	Translation	
						Yes	No
	BA	0 698 360 B1	3/22/2000	EPO	A47C 7/46	X	
	BB	WO/00/00064	1/6/2000	WO	A47C 3/025	X	
	BC	0 797 399 B1	11/11/1998	EPO	A47C 7/46	PART.	
	BD	0 746 219 B1	11/4/1998	EPO	A47C 7/46	PART.	
	BE	0 696 251 B1	7/16/1997	EPO	B6ON 2/44	PART.	
	BF	0 702 522 B1	3/19/1997	EPO	A47C 7/46	X	
	BG	0 662 795 B1	12/11/1996	EPO	A47C 7/46	PART.	
	BH	401 497	9/25/1996	AT	B6ON 2/22	PART.	
	BI	0 540 481 B1	12/6/1995	EPO	A47C 7/46	X	
	BJ	0 434 660 B1	5/3/1995	EPO	A47C 7/46	X	
	BK	0 485 483 B1	1/26/1994	EPO	A47C 7/46	PART.	
	BKa	42 20 995 A1	1/27/1994	DE	A47C 7/46	PART.	
	BL	0 322 535 A1	7/5/1989	EPO	A47C 7/46	X	
	BM	0 169 293 B1	10/5/1988	EPO	A47C 7/46	X	
	BN	2 596 334	10/2/1987	FR	B6ON 1/06	PART.	
	BO	0 006 840 B1	2/3/1982	EPO	A47C 23/00	PART.	
	BP	29 47 472	8/7/1980	DE	B 60 N 1/00	PART.	
	BQ	1 423 617	2/4/1976	GB	A47C 7/46	X	
	BR	206 4419	7/20/1972	DE	B6ON 1/06	X	
	BS	2040794	7/8/1971	DE	A47C 7/28	X	
	BT	587924	2/21/78	RU	A47C 7/46	X	
	BU	2 013 487	2/3/1978	GB	A47C 7/46	X	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

Examiner Initial	DOCUMENT		

EXAMINER	DATE CONSIDERED
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